

Devine, Millimet & Branch Adapting to Changes in the Legal Climate Alex Walker

The following is the first in a series of interviews with managing partners of New Hampshire law firms on trends in the legal profession and how firms are responding.

By Ann K. Crane

Alexander J. Walker, the attorney who heads up one of New Hampshire's largest law firms, recently talked to the NH *Bar News* about what he sees as the major trends in the legal profession, and how they will impact New Hampshire's law firms. Walker's firm, Devine, Millimet & Branch, began in Manchester almost 60 years ago and today provides a full array of legal services, ranging from complex commercial litigation and corporate work, to an innovative *pro bono* initiative.

Below, Walker, who is president and a shareholder of the firm, talks about the emerging strategies and innovative technologies that Devine Millimet is developing to address today's challenges in the legal profession.

Increased Competition Drives Regionalization

The legal marketplace has become intensely competitive over the last several years, and the firms that are going to stay relevant and stay in the top tier are going to have to adapt to this new environment. While competition between the state's major law firms has always been around, today there is increasing competitive pressure coming from outside New Hampshire. A number of Boston firms see a vibrant economy and market in southern New Hampshire. These Boston firms have established a physical presence and have become more competitive up here. At the same time, firms from Portland, Maine, have started a march to the south over the last 10 years, establishing their presence on the seacoast, in the Concord area, and beyond Manchester.

To compete with these challenges, law firms from New Hampshire are making every effort to stay as competitive as possible. One of the strategies we've noticed is a trend toward the regionalization of law firms and law practices through consolidations and mergers. Ten years ago, we determined that the Merrimack Valley and the areas north of Boston were somewhat underserved in terms of legal services. By offering sophisticated legal services at a rate structure significantly different from Boston's, Devine Millimet became the first New Hampshire firm to establish a regional presence outside the state.

There have also been trends toward nationalization at the law firms in slightly bigger markets, like Boston, and toward internationalization at firms from markets like Washington D.C. and New York, that were formerly national firms. But I don't think those trends will come up here at this time, because the economics are so very different.

We're also using a number of marketing strategies to reinforce the firm's name with existing and potential clients. Like a lot of law firms, we've updated our Web site, created a new logo, and have even done some advertising over the last three or four years. It's the wave of the future, and if you don't have your name out there, you're behind the curve. But at the end of the day, our business is all about relationships, so you need to make sure your people are out there in the community, in the Bar Association, and in whatever particular practice areas and industries that you're servicing.

Adopting a More Corporate Management Structure

Law firms have historically been operated using a town meeting form of government. You have partners, and because everyone is an owner, everyone has a voice and wants to express his or her opinion. A lot of firms found that, as they got bigger, it became harder to make important strategic decisions in a timely manner.

We have 80-plus lawyers at our firm, which necessitates a fairly substantial administrative department to keep things running smoothly. Eight years ago, we adopted a more corporate form of government. Our chief operating officer has an MBA, not a legal degree, and my job title is president, not managing partner. As part of this restructuring, the firm put a lot of responsibility on the president's shoulders. The idea is to free the lawyers up to do what they do best, which is to practice law. It also enables the firm to be more nimble in addressing competitive pressures in the marketplace.

Expanding and Refocusing Practice Areas

Another adaptation law firms are making today is a strategic growth in practice areas. While we have been fortunate to see growth in a number of our practice areas, we have seen significant expansion in the area of telecommunications, health care, and high technology.

Something else that we're going to be rolling out shortly is a practice group called Devine Strategies, which will be chaired by Susan Duprey, former president of our firm. The

concept here is that if a client comes in with a multifaceted project, we can quickly assemble a team and address their full range of needs, bringing in additional expertise as necessary. If the project requires a particular kind of financing, we can help out there through our relationships and contacts. If there's litigation, we can bring that expertise to the table. That's a valuable service for a lot of clients, especially for larger clients who might not be familiar with New Hampshire and its landscape. Through this practice, we will be able to offer them one-stop shopping for a wide range of disciplines, a network of established relationships, and a very sophisticated level of service.



Alex Walker
President, Devine,
Millimet & Branch

Pro Bono Work

When I assumed the duties of president in January, I put *pro bono* work right at the top of my list of goals. For many years, this firm was a leader in the delivery of *pro bono* legal services and, as stewards of this organization, we need to rededicate ourselves to that. We established a *Pro Bono* Committee within the firm, with nine attorneys on it, including senior partners. We encourage all of our attorneys and staff to be involved with community organizations; and to make sure that our attorneys are given credit for their *pro bono* activities, we count this time toward their total billable hours each year. We've had a lot of early success, working with NHBA Pro Bono Program Director Virginia Martin and with the folks at NH Legal Assistance on our Landlord/Tenant Initiative SWAT team. It's been great experience for some of our younger lawyers, and very gratifying overall.

In my view, the demands of an increasingly competitive legal environment are no excuse for backing off our *pro bono* commitment to meet the needs of low-income clients. Profitability and business considerations can peacefully coexist with a dedication to the delivery of *pro bono* legal services. Does it require from time to time an extra effort on the part of the firm? Absolutely. Does it require extra time and dedication on the part of individual lawyers? Absolutely. We're very fortunate to do what we do, and to do it here, and with that come special obligations.

Recruiting Top Talent

Recruiting is always hard, but it plays a crucial role in the competitive environment that all law firms face today. The main thing that New Hampshire law firms have to offer today is the same thing that they've always had to offer: the best of both worlds. You get to practice law at a very high level, both in terms of the sophistication of the work itself and in the caliber of the people that you're working with. At the same time, you get to do that here in New Hampshire, in an environment that is very conducive to raising a family and striking a balance between your work life and your personal life. That's a hard thing to do, particularly in this field, but that's what we have to offer.

When we recruit, we cast as wide a net as possible, looking at law students from all over. We focus on students who are interested in northern New England, maybe because they grew up here or because they spent some time here and want to settle down and raise a family here.

We just hired four new people; and to get them off to a good start, there is an extensive orientation program and every new lawyer is assigned a mentor.

Technological Innovations

Technological innovations have produced enormous changes in the practice of law, here and everywhere. For example, clients have become more technologically savvy, and they want their lawyers to be just as proficient as they are. They're moving quickly and they expect service and responsiveness 24/7, so most of our lawyers now carry Blackberries with them.

We're also seeing dramatic changes in the area of document retention. Just storing the e-mails and paperwork that are generated in day-to-day operations is a big issue for us, and we're exploring ways to do more of this electronically. We also update our Web site regularly to maximize its functionality.

For some of us, adapting to these new changes is hard. Operationally, we address this by providing in-house training and an in-house IT staff. At a more personal level, it can be challenging to strike a work/life balance when you need to be accessible at all times, while being expected to provide legal advice in a thoughtful and professional manner without the benefit of a lot of time for reflection.